

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JERRY BLANEY, ID # 1519297,

Plaintiff,

v.

JUDGE A. JOE FISH, et al.,

Defendants.

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Civil Action No. **3:11-CV-907-L**

ORDER

Plaintiff Jerry Blaney, proceeding *pro se*, filed his Original Complaint and Motion to Proceed *in Forma Pauperis* on April 4, 2011, in the United States District Court for the Eastern District of Texas. The case was transferred to this court on May 2, 2011, and referred to United States Magistrate Judge Irma Carrillo Ramirez. The magistrate judge entered her Findings, Conclusions, and Recommendation (“Report”) on May 17, 2011. Plaintiff filed objections on May 25, 2011.

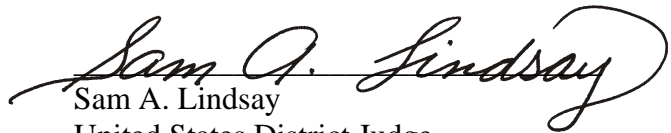
Magistrate Judge Ramirez recommends that the court deny Plaintiff’s application to proceed *in forma pauperis* and summarily dismiss this action pursuant to 28 U.S.C. § 1915(g) unless a filing fee is paid. The record reflects that Plaintiff has had at least three prior prisoner civil actions or appeals dismissed as frivolous, malicious, or for failure to state a claim. Plaintiff may therefore not proceed without prepaying fees under 28 U.S.C. § 1915(g), unless he shows that he is subject to imminent danger of serious physical injury. Plaintiff has made no such showing.

Plaintiff’s objections consist of his vague, conclusory accusations that certain judges within the Northern District of Texas are illegally committing crimes and spreading corruption. He contends that, “for a legal favor,” the action was transferred to this court from the Eastern District for a “quick and speedy dismissal.” Pl.’s Obj. 1. Plaintiff sets forth no reason why the “three strike”

rule pursuant to 28 U.S.C. § 1915(g) should not apply to him and, to date, has not paid a filing fee. Dismissal is therefore appropriate.

Having reviewed Plaintiff's complaint, motion to proceed *in forma pauperis*, record, Report, and applicable law, the court **determines** that the magistrate judge's findings and conclusion are correct. They are therefore **accepted** as those of the court. The court accordingly **denies** Plaintiff's Motion to Proceed *in Forma Pauperis* and summarily **dismisses** this action **with prejudice** pursuant 28 U.S.C. § 1915(g) for failure to pay a necessary filing fee. In accordance with Rule 58 of the Federal Rules of Civil Procedure, a judgment will issue by separate document.

It is so ordered this 31st day of May, 2011.


Sam A. Lindsay
United States District Judge